

determining an interference measure based on a power of a pilot signal received at the mobile unit, the mobile unit received pilot power being received from the mobile unit in said access probe; and

setting an initial power level in a forward link traffic channel transmission based on said interference measure.

16. (Amended.) The method according to claim 15, wherein said step of determining includes the steps of:

extracting said mobile unit received pilot power from transmitted messages in said access probe; and

subtracting said mobile unit received pilot power from a power of the pilot signal transmitted from the base station.

21. (Amended.) In a wireless communications system having a base station and a mobile unit, a method for setting initial power levels between the mobile unit and the base station, said method comprising the steps of:

calculating an interference measure based on a power of a pilot signal received at the mobile unit and a power of the pilot signal transmitted by the base station; and

setting an initial power level in a forward link based on said interference measure.

REMARKS

Claims 1-26 are pending in the present application, with claims 1, 9, 15, and 21 being independent. Reconsideration and allowance of all claims in view of the above amendments and following remarks is requested. Applicants note that the above amendments are non-narrowing and have been made only to clarify the claims. Specifically, rather than reciting “a mobile unit received pilot power” or “a base station transmitted pilot power”, the amended claims recite “a power of a pilot signal received at the mobile unit” and “a power of the pilot signal transmitted from the base station”, respectively. Applicants believe that the language in the amended claims more clearly reflects the present invention. Again, these amendments are non-narrowing and

were made only to clarify the claims, and were not made to overcome any prior art or for any other statutory considerations.

Rejection Under 35 U.S.C. § 102(e)

Claims 1-26 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Soliman (U.S. Patent No. 5,675,581). Applicants respectfully traverse this rejection.

Soliman simulates signal interference within a communication system according to a three step process. First, Soliman simulates signal interference power received at a cell-site or base station by measuring the power of signals received from the simulated users and then generates a composite signal power as a sum of these measured powers (column 3, lines 30-34). Next, Soliman determines “a ... normalized data rate for transmission of the composite signal” (column 3, lines 34-36). Finally, Soliman generates an interference signal based on the composite signal and the normalized data rate (column 3, lines 37-39). Once generated, the interference signal is then adjusted according to average power fluctuation resulting from closed loop power control (column 3, lines 39-42). Therefore, the interference simulation in Soliman is based upon a sum of signal power transmitted by a set of simulated users, and is adjusted according to closed loop power control. As such, Soliman fails to teach or suggest “calculating ... an interference measure based on a power of a pilot signal received at the mobile unit” and “setting an initial power level ... based on said interference measure” as recited in independent claim 1.

For reasons similar to those set forth regarding claim 1, Applicants submit that independent claims 9, 15, and 21 are also patentable over Soliman. Applicant further advances that the dependent claims are allowable for the reasons previously set forth regarding their respective independent claims as well as on their own merits.

In light of the above arguments, Applicant submits that independent claims 1, 9, 15, and 21 of the present application are not anticipated or rendered obvious to one skilled in the art by Soliman. Consequently, Applicant contends that claims 2-8, 10-14, 16-20, and 22-26 are allowable at least by their dependence on allowable independent claims 1, 9, 15, and 21,

respectively. Applicant respectfully requests that the Examiner withdraw this art grounds of rejection.

ENTRY OF AMENDMENT AFTER FINAL

Applicants request entry of this Amendment by the Examiner since it raises no new issues; and the claims as amended do not require any further consideration or search by the Examiner. Further, Applicant submits that, at the least, this Amendment should be entered since it reduces the number of substantive and/or formal issues to place the application in better form for appeal.

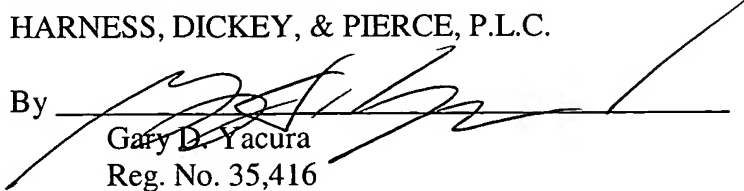
CONCLUSION

All objections and rejections being overcome, it is submitted that the present application is in condition for allowance and a Notice to that effect is earnestly solicited. In the event that any outstanding matters remain pending in this application, Applicant requests that the Examiner contact the undersigned **prior to issuing any subsequent action in connection with this application** at (703) 390-3030 to discuss such matters.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,
HARNES, DICKEY, & PIERCE, P.L.C.

By


Gary D. Yacura
Reg. No. 35,416

12355 Sunrise Valley Drive
Suite 350
Reston, Virginia 20191
(703) 390-3030

YGD/PKJ/

The claims were amend as follows.

1. (Twice Amended.) In a wireless communications system having a base station and a mobile unit, a method for setting initial power levels between the mobile unit and the base station upon receipt of a service request, said method comprising the steps of:

calculating, at the base station, an interference measure [from a mobile unit received pilot power generated by the base station] based on a power of a pilot signal received at the mobile unit; and

setting an initial power level in a forward link based on said interference measure.

2. (Amended.) The method according to claim 1, wherein said step of calculating determines a difference between said mobile unit received pilot power and a [base station transmitted pilot power] power of the pilot signal transmitted from the base station.

4. (Amended.) The method according to claim 1, further comprising:
receiving, at the base station, [wherein] said mobile unit received pilot power [is included] in a request for services transmission from the mobile unit.

8. (Amended.) The method according to claim 1, further comprising:
receiving, at the base station, [wherein] said mobile unit received pilot power [is included] in an access channel transmission from the mobile unit.

9. (Twice Amended.) In a wireless communications system having a base station and a mobile unit, a method for setting up a call between the mobile unit and the base station, said method comprising the steps of:

receiving a request for services over an access channel from the mobile unit;

determining an interference measure [from a mobile unit received pilot power] based on a power of a pilot signal received at the mobile unit, the mobile unit received pilot power being received by the base station over said access channel; and

setting an initial power level in a forward link traffic channel transmission based on said interference measure.

10. (Amended.) The method according to claim 9, wherein said step of determining includes the steps of:

extracting said mobile unit received pilot power from transmitted messages in said access channel; and

computing a difference between said mobile unit received pilot power and a [base station transmitted pilot power] power of the pilot signal transmitted from the base station.

15. (Amended.) In a wireless CDMA based communications system having a base station and a mobile unit, a method for setting up a call between the mobile unit and the base station, said method comprising the steps of:

receiving an access probe from the mobile unit;

determining an interference measure [from a mobile unit received pilot power transmitted] based on a power of a pilot signal received at the mobile unit, the mobile unit received pilot power being received from the mobile unit in said access probe; and

setting an initial power level in a forward link traffic channel transmission based on said interference measure.

16. (Amended.) The method according to claim 15, wherein said step of determining includes the steps of:

extracting said mobile unit received pilot power from transmitted messages in said access probe; and

subtracting said mobile unit received pilot power from a [base station transmitted pilot power] power of the pilot signal transmitted from the base station.

21. (Amended.) In a wireless communications system having a base station and a mobile unit, a method for setting initial power levels between the mobile unit and the base station, said method comprising the steps of:

[receiving a base station transmitted pilot power;]

calculating an interference measure [from a mobile unit received pilot power] based on a power of a pilot signal received at the mobile unit and [said base station transmitted pilot power] a power of the pilot signal transmitted by the base station; and
setting an initial power level in a forward link based on said interference measure.